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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/466,619	12/17/1999	JOSEPH FOBERT	7000-65	1389

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EXAMINER

ANWAH, OLISA

ART UNIT PAPER NUMBER

2645

DATE MAILED: 07/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/466,619

Applicant(s)

FOBERT ET AL.

Examiner

Olisa Anwah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 July 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) 12-18 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 and 19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2. Claims 1-11 and 19 are rejected under 35 U.S.C § 102(e) as being anticipated by Danne et al, U.S. Patent No. 5,946,381 (hereinafter Danne).

With respect to claim 1, the following limitations read on Danne. "A client-server network for managing internet protocol voice data packets", reads on Figure 1. "A client terminal, for receiving internet protocol voice data packets from a caller" reads on unit 12, From Figure 1. "A graphical display, for conveying information to a client terminal user", reads on col. 2, lines 62-67. The claimed client terminal controller is

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inherently included in the personal computer terminal disclosed by Danne. This is because Danne teaches the computer terminal is able to execute applications, hence the computer terminal must include a controller that determines what information is to be displayed to the display panel. "A terminal proxy server, responsive to internet protocol control data packets, for sending synchronized signals to the client terminal and the client terminal controller to notify a client terminal user of the incoming voice data packets, the client terminal controller, in response to a synchronized signal, adapted to retrieve information about the incoming caller and convey the information to the client terminal user on the graphical display", reads on unit 14 from Figure. Further regarding the claimed terminal proxy server, see col. 3, lines 15-45. "A graphical user interface, for receiving instructions from a client terminal, the client terminal controller, in response to the instructions received from the user through the graphical user interface, adapted to perform at least one call management task on the voice data packets", reads col. 2, lines 60-67 and col. 3, lines 35-55.

Regarding claim 2, see col. 3, lines 50-60.

Regarding claims 3 and 4, see col. 2, lines 40-50.

Regarding claim 6, see col. 3, lines 35-45.

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Regarding claims 9 and 10, see col. 2, lines 60-65.

Regarding claim 11, see col. 3, lines 40 and 41.

Claim 19 is rejected for the same reasons as claim 1.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claim 5 is rejected under 35 U.S.C § 103(a) as being unpatentable over Danne in view of Acker et al, U.S. Patent Application Publication No. 2002/0147696 (hereinafter Acker).

Regarding claim 11, Danne does not disclose the database is a Lightweight Directory Access Protocol server. However Acker discloses this limitation (see paragraph 0005). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Danne with the LDAP server taught by Acker. This modification allows for a naming and directory service that allows for finding persons.

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5. Claim 8 is rejected under 35 U.S.C § 103(a) as being unpatentable over Danne in view of Selker, U.S. Patent Application Publication No. 2002/0122072 (hereinafter Selker).

Regarding claim 8, Danne as applied in claim 4 does not disclose the graphical display comprises a television screen. However Selker discloses this limitation (see paragraph 0045). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Danne with the television screen taught by Selker. This modification would allow for graphics to be displayed.

6. Claim 7 is rejected under 35 U.S.C § 103(a) as being unpatentable over Danne in view of Selker in further view of Tidwell et al, U.S. Patent Application Publication No. 2001/0043687 (hereinafter Tidwell).

Regarding claim 7, Danne does not disclose the client terminal comprises a set top box used in conjunction with a television. Selker discloses the client terminal comprises a television (see paragraph 0045). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Danne with the television screen taught by Selker. This modification would allow for graphics to be displayed. Danne combined with Selker does not disclose the

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client terminal comprises a set top box. However Tidwell discloses this limitation (see abstract). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify Danne combined with Selker with the set top box taught by Tidwell. This modification allows for graphics to be displayed using a television.

***Response to Arguments***

7. Applicants arguments have been considered but are deemed to be moot in view of the new grounds of rejection.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 703-305-4814. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 703-305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

*O.A.*

Olisa Anwah  
Patent Examiner  
July 17, 2003

FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

A handwritten signature in black ink, appearing to read 'Fan Tsang', with a long horizontal stroke extending to the right.